

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

ECONOMY STONE MIDSTREAM FUEL, L.L.C.

VS.

CIVIL ACTION NO. 4:08CV127-SA-DAS

M/V A.M. THOMPSON, her tackle,
Furniture, apparel, etc., *in rem*

ORDER

This matter is before the court on motion of Kenneth Ward to inspect the vessel, A.M. Thompson. Ward is a seaman with a claim pending against his employer and the present owner of the vessel in the Circuit Court of the Third Judicial Circuit of Madison County, Illinois. Because the present action is pending before this court and because a sale of the vessel has been set for March 11, 2009, Ward has moved to have his expert and others involved in the Illinois litigation board and inspect the vessel before the court's confirmation of the sale. Thus far there has been no objection to the motion, but time has not yet run during which responses would be due. However, because the sale is imminent, time is of the essence, and thus, the court is going to grant the motion to board and inspect the vessel and allow the movant and the others named to do so prior to confirmation of the sale. Should there be any objection from parties in the present action, they should file a motion to reconsider the present order no later than close of business on Friday, March 6, 2009.

In addition, the parties allowed to board will not disassemble, harm, or modify the vessel in any manner. Also, those allowed to board will execute the appropriate releases, releasing the Marshal and all other parties of and from liability for injuries or damages as a result of the

inspection. And finally, only those individuals listed on the “Persons in Attendance” sheet attached to the present motion will be allowed to board the vessel.

IT IS, THEREFORE, ORDERED that Kenneth Ward’s motion to inspect the vessel and shorten the time to respond (# 91) is hereby GRANTED.

SO ORDERED, this the 5th day of March 2009.

/s/ David A. Sanders
UNITED STATES MAGISTRATE JUDGE